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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
JIMMY PEREZ AYON,  
  
Defendant.

CASE NO. 2:22-CR-00176-TLN  
  
STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
FINDINGS AND ORDER  
  
DATE: May 18, 2023  
TIME: 9:30 a.m.  
COURT: Hon. Troy L. Nunley

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on May 18, 2023.
2. By this stipulation, defendant now moves to continue the status conference until July 27, 2023, at 9:30 a.m., and to exclude time between May 18, 2023, and July 27, 2023, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
  - a) The government has represented that the discovery associated with this case includes approximately 3,380 pages of documents, including investigative reports, text messages, transcripts of recorded communications, and other materials, as well as multiple undercover video and audio recordings. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

b) Counsel for defendant desires additional time to review this discovery, to conduct factual investigation, to evaluate potential responses to the charges, to confer with his client, and to otherwise prepare for trial.

c) Counsel for defendant believes that failure to grant the above-requested continuance would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of May 18, 2023 to July 27, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: May 9, 2023

PHILLIP A. TALBERT  
United States Attorney

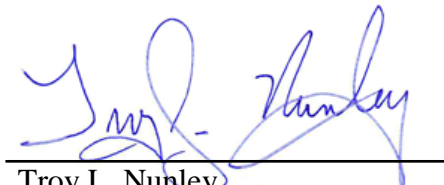
/s/ DAVID W. SPENCER  
DAVID W. SPENCER  
Assistant United States Attorney

Dated: May 9, 2023

/s/ MICHAEL D. LONG  
MICHAEL D. LONG  
Counsel for Defendant  
JIMMY PEREZ AYON

**ORDER**

IT IS SO FOUND AND ORDERED this 10<sup>th</sup> day of May, 2023.

  
Troy L. Nunley  
United States District Judge